

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MICHAEL J. KRIZ,

Plaintiff,

VS.

**12TH JUDICIAL DISTRICT BOARD OF
MENTAL HEALTH OF BOX BUTTE
COUNTY, et al.,**

Defendants.

4:05CV3254

ORDER

This matter is before the court *sua sponte*.

On March 27, 2008, the court held a telephone conference with counsel for the parties. At that time the court had before it a motion to dismiss the plaintiff's complaint by defendant Sanat K. Roy. **See** Filing No. 72. Additionally, the court was waiting for the defendant 12th Judicial District Board of Mental Health of Box Butte County to file a response to the complaint. Subsequently, on April 8, 2008, such defendant did file a timely motion to dismiss. **See** Filing No. 77. Once the motions to dismiss are fully briefed, the court will determine the merits of the motions. If the motions are denied, the parties will proceed on the plaintiff's claims by first filing a planning report pursuant to Federal Rule of Civil Procedure 26(f).

The plaintiff, himself, has again sent the court a motion without benefit of his appointed counsel. The document is dated April 23, 2008 and seeks information about the status of this case. For the reasons stated in the court's April 18, 2008, the document will be forwarded to counsel for the plaintiff. **See** NEGenR 1.3(f) and (h); Fed. R. Civ. P. 11. Any future documents received by the plaintiff without the signature of his counsel will be returned to the plaintiff without comment. Upon consideration,

IT IS ORDERED:

1. The parties shall have **fifteen (15) days** from the date an order is filed on the currently pending motions to dismiss (Filing No. 72 and 77), in which to file a planning report with the court pursuant to Federal Rule of Civil Procedure 26(f), if necessary.

2. The Clerk of Court shall send the original document from Mr. Kriz dated April 23, 2008, to the plaintiff's counsel.

3. The Clerk of Court shall send a copy of this order to:

Michael J. Kriz
Lincoln Regional Center
FMHS Building, Ward S-1
PO Box 94949
Lincoln, NE 68509-4949

DATED this 25th day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge